IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1254 OF 2007
IN
FIRST APPEAL NO.1360 OF 2006

Santosh Dinkar Paranjape ...Applicant

vs.

Anil Anant Natu ...Respondent

Mr.S.S.Patwardhan for the Applicant
Mr.A.P.Kulkarni for the Respondent.

CORAM: A.S.OKA,J.
DATE : MARCH 7,2007.

P.C.:

. Not on board. Taken on board.

1. Heard Advocates for the parties. Shri Patwardhan for the Applicant submits that since the decree is only in respect of the payment of interest and as the principal amount has been deposited during the pendency of the suit, stay deserves to be granted subject to furnishing security.

2. Considering the facts and circumstances of the case and considering the fact that the decree is a money decree, the Applicant will have to deposit the decretal amount. As principal amount has been already deposited, sufficient time is granted to deposit the decretal amount.

3. Hence, Civil Application is disposed of by passing the following order :

i) There will be interim relief in terms of prayer clause (A) subject to the Applicant depositing entire decretal amount with the Trial Court within a period of four months from today.

ii) If compliance is not made within stipulated period, interim relief will stand vacated without further reference to the Court.

iii) As and when the amount is deposited by the Applicant, the same will be invested by the Trial Court in fixed deposit in any nationalised bank initially for a period of three years and thereafter the fixed deposit shall be renewed on yearly basis till the disposal of the Appeal.

JUDGE